

ATTORNEY DOCKET NO. 16016.0005US Serial No. 08/813,829

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Brigid Hogan, L.M.

Serial No. 08/813,829

Filed: March 6, 1997

STEM CELLS AND METHOD OF

MAKING SAME

Group Art Unit:

1632

Examiner: Joseph

Woitach

Confirmation No.

3939

DECLARATION OF JAMES KELLY UNDER 37 C.F.R. § 1.132

considered w I, James Kelly, a citizen of the United States, residing at 12331 Chesterbrook Dr. Houston, TX 77031 declare that:

- 1. I have a PhD degree in Biochemistry from Temple University in Philadelphia. I have been conducting research in the field of cell biology and biochemistry since 1975 and am a coauthor of at least 50 publications. I am currently president of Amphioxus Cell Technologies, Inc..
- Amphioxus is currently in negotiation with Plurion, Inc. the licensee of United States Patents 5,670,372, 5,690,926, and 5,453,357, and United States Application No. 08/813,829, (the "829 application") for the merger/acquisition of Plurion Inc. I may soon have a vested interest in the application for which I am providing this Declaration.
- 3. I have reviewed the Office Action dated May 18, 2005, as well as the aboveidentified patents and applications.